

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**THOMAS M. KELLEY,**

**Plaintiff,**

**v.**

**TOWN OF PLYMOUTH, et al.,**

**Defendants.**

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**C.A. NO. 05-10596-NMG**

**OFFICE OF THE INSPECTOR GENERAL’S MOTION FOR LEAVE TO FILE A  
REPLY IN RESPONSE TO DEFENDANTS’ OPPOSITION TO THE JOINT MOTION  
FOR THE COURT TO ORDER THE OFFICE OF THE INSPECTOR GENERAL  
TO PRODUCE AN AFFIDAVIT AND TO ISSUE A PROTECTIVE ORDER**

Pursuant to Local Rule 7.1(b)(3), the Office of the Inspector General (“IG’s Office”) respectfully requests leave to file a reply to the Defendants’ opposition to the joint motion filed by the IG and the Plaintiff that asked this Court to order the IG’s Office to produce an affidavit and issue a protective order, which originally was filed on February 7, 2007 (“Joint Motion”) (i.e., a copy of the Affidavit of Barbara J. Hansberry (“Affidavit”), was filed by hand on February 12, 2007 and noticed electronically on February 22, 2007). Among other things, the IG’s Office believes it is necessary to respond to the Defendants’ assertion that allowing this Joint Motion presumes a waiver by the Defendants as this motion represents an agreement to resolve the discovery dispute between Plaintiff and the IG’s Office. Thus, the IG respectfully asks this Court to grant it leave to file a reply.

**REQUEST FOR ORAL ARGUMENT**

Whether this Court allows or denies this motion, the IG respectfully asks this Court to schedule oral argument as it may assist the court to understand and resolve the issues involved

and to settle this discovery matter. See Local Rule 7.1(d).

For the foregoing reasons, the IG's Office respectfully requests that this Court (1) grant it leave to file a reply to Defendants' opposition; and (2) schedule oral argument on this matter.

Respectfully submitted,

OFFICE OF THE  
INSPECTOR GENERAL,

By its counsel,

MARTHA COAKLEY  
ATTORNEY GENERAL

/s/ Christine Baily

Christine A. Baily, BBO #643759  
Assistant Attorney General  
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Date: February 22, 2007

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(a)(2), I hereby certify that I have conferred with Attorney Joseph R. Gallitano, counsel to the plaintiff Thomas M. Kelley, and Attorney Jeremy I. Silverfine, counsel to the defendants, Robert J. Pomeroy and the Town of Plymouth.

/s/ Christine Baily

Christine A. Baily, BBO #643759  
Assistant Attorney General

Date: February 22, 2007